

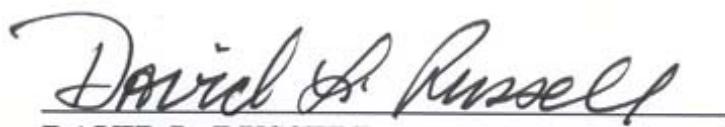
**THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DAVID TUCKER, )  
 )  
 Plaintiff, )  
 )  
 v. ) Case No. CIV-11-1109-R  
 )  
 WAYNE McKINNEY, in his personal )  
 capacity; JEFF DAVIS, in his personal )  
 capacity; and MICHAEL E. REID, )  
 in his personal capacity, )  
 )  
 Defendants. )

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Robert E. Bacharach entered June 6, 2012. Doc. No. 49. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED, Plaintiff's motion to dismiss without prejudice his claims against Defendant Jeff Davis [Doc. No. 48] is GRANTED and Plaintiff's claims against Defendant Jeff Davis are DISMISSED without prejudice.

IT IS SO ORDERED this 28<sup>th</sup> day of June, 2012.

  
David L. Russell  
DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE